

REMARKS/ARGUMENTS

Species I of the apparatus, Figs. 1-2, has been elected. Claims 1, 3-6, 9, 10, 12-30 and 62 are readable on the elected species and have been examined. All claims have been rejected as anticipated by Okuya (JP2002-075953).

The Office Action also mentions JP2002-246364, but does not apply this document to any of the claims. It is therefore assumed that JP '364 is not material art, or possibly may be relevant at most to some of the dependent claims.

In response to the rejection over Okuya, claim 1 has been amended to recite that the annular member is disposed vertically above the substrate holding mechanism, that the substrate opposing surface has a substantially horizontal plane portion, and that the projection protrudes downward from the substantially horizontal plane portion.

In the elected embodiment, please note the annular member 32, the substrate-opposing surface 45, and the projection 46 which projects from and is positioned below a substantially horizontal plane portion of the substrate-opposing surface 45, as a non-limiting example of the invention.

The Examiner has newly cited Okuya, JP2002-75953, and stated that claims 1, 3-6, 9, 10, 12-30 and 62 are rejected under 35 U.S.C. §102(b) as being anticipated by Okuya. The Examiner has argued that the liquid receiver 62 of Okuya corresponds to the annular member as recited in claim 1 of the present application. However, the liquid receiver 62 of Okuya does not have an inner periphery on or inside an outer periphery of a substrate held by a substrate holding mechanism, and thereby cannot perform the function of defining the processing width to be processed by an etching liquid on the surface of the peripheral portion of the substrate, as recited in claim 1.

Further, claim 1 has been amended to recite a position of the annular member with respect to the substrate holding mechanism; namely that the annular member is “disposed vertically above the substrate holding mechanism.” Note for example the elements 32 and 41-42 in Fig. 2. This feature, again, permits the annular member to define the processing width of the substrate held by the substrate holding mechanism, as already recited in claim 1.

By such structural limitations, amended claim 1 is clearly distinguishable from the cited

art. Specifically, the liquid receiver 62 of Okuya is not disposed vertically above the chuck 1. Further, the liquid receiver 62 does not have a substantially horizontal plane portion or a projection that protrudes downward from the plane portion. Without such a substantially horizontal plane portion and an associated projection, the liquid receiver 62 cannot limit an etching liquid entering an inner region of the substrate.

In no portion of Okuya's publication are there any disclosures or suggestions regarding disposing an annular member vertically above the substrate holding mechanism, or a substantially horizontal portion of the annular member associated with a projection protruding downward from the plane portion.

Accordingly, the apparatus of amended claim 1 is neither anticipated nor rendered obvious by the teachings of Okuya.

In view of the foregoing, allowance of claim 1 and its dependent claims is requested.

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